

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X	
JUDY M. WALDMAN as Trustee for the	:
Claire Waldman Trust, Individually and on	:
Behalf of All Others Similarly Situated,	:
	:
Plaintiff,	:
	:
vs.	:
	:
WACHOVIA CORPORATION, <i>et al.</i> ,	:
	:
Defendants.	:
-----X	

Civil Action No. 1: 08-cv-2913-SAS

NOTICE OF MOTION

TO: ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:

PLEASE TAKE NOTICE that, pursuant to § 21D(a)(3)(B) of the Securities Exchange Act of 1934, upon the accompanying (1) Declaration of David C. Harrison and the exhibits thereto, (2) the Memorandum of Law in Support of Gustavo Spoliansky's Motion For Appointment as Lead Plaintiff, and Approval of Lead Plaintiff's Selection of Lead Counsel in the captioned action, Mr. Spoliansky will move before the Honorable Shira Scheindlin, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Room 640, New York, New York 10007 on such date as the Court may direct, for an Order in the form submitted herewith appointing Mr. Spoliansky as Lead Plaintiff and approving his choice of counsel, Lowey

Dannenberg Cohen & Hart, P.C. and Schubert Jonckheer Kolbe & Kralowec LLP, as Co-Lead Counsel for plaintiff and the putative class.

Date: May 19, 2008

LOWEY DANNENBERG COHEN & HART, P.C.

By: /S/
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*Counsel for Gustavo Spoliansky and [Proposed]
Co-Lead Counsel for the Class*

EXHIBIT #1

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JUDY M. WALDMAN as Trustee for the :
Claire Waldman Trust, Individually and on :
Behalf of All Others Similarly Situated, :

Plaintiff,

Civil Action No. 1: 08-cv-2913-SAS

VS.

WACHOVIA CORPORATION, *et al.*,

Defendants.

[PROPOSED] ORDER

After having considered the Motion of Gustavo Spoliansky, the Memorandum of Law in Support of Gustavo Spoliansky's Motion for Appointment As Lead Plaintiff and Approval of Lead Counsel, the accompanying Declaration of David C. Harrison, and the proceedings had herein,

IT IS HEREBY ORDERED that:

1. The Court determines that Gustavo Spoliansky is the “most adequate plaintiff” pursuant to § 21D(a)(3)(B) of the Securities Exchange Act of 1934 (“Exchange Act”) and appoints Mr. Spoliansky as Lead Plaintiff in this action.

2. Lead Plaintiff, pursuant to § 21D(a)(3)(B) of the Exchange Act, has selected and retained Lowey Dannenberg Cohen & Hart, P.C. and Schubert Jonckheer Kolbe & Kralowec

LLP as Co-Lead Counsel to represent the class, and the Court approves said counsel as Co-Lead Counsel.

IT IS SO ORDERED.

DATED: _____

United States District Judge